

HOUSE BILL 1073

P1, P3

11r1226

By: **Delegates Boteler, Afzali, Cluster, DeBoy, Dwyer, Fisher, Frank, George, Glass, Hershey, Howard, Impallaria, Kach, Krebs, McComas, McConkey, McDonough, A. Miller, Mitchell, Myers, Norman, Olszewski, Reznik, Schulz, Serafini, Smigiel, Stocksdales, Stukes, V. Turner, Weir, Wilson, and Wood**

Introduced and read first time: February 11, 2011

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2011

CHAPTER _____

1 AN ACT concerning

2 **State Lottery Agency – Veterans Lottery – Established**

3 FOR the purpose of requiring the State Lottery Agency to conduct a certain ~~number of~~
4 ~~lotteries~~ annual lottery for the benefit of the Maryland Veterans Trust Fund;
5 requiring the Agency to deposit into the Fund a percentage of the proceeds,
6 after certain expenses of the veterans ~~lotteries~~; lottery; requiring the Agency to
7 meet certain advertising criteria in conducting the veterans ~~lotteries~~; lottery;
8 and generally relating to lotteries conducted by the State Lottery Agency.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–120 and 9–913
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

14 BY adding to
15 Article – State Government
16 Section 9–120.2
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – State Government**

4 9–120.

5 (a) The Comptroller shall distribute the State Lottery Fund to pay:

6 (1) on a pro rata basis for the daily and nondaily State lottery games,
7 the expenses of administering and operating the State lottery, as authorized under
8 this subtitle and the State budget; and

9 (2) then, except as provided in § 10–113.1 of the Family Law Article
10 and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or
11 share.

12 (b) (1) Promptly after the 1st day of each month, the Comptroller shall
13 pay:

14 (i) into the Maryland Stadium Facilities Fund the money that
15 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted
16 for the benefit of the Maryland Stadium Authority, after the distribution under
17 subsection (a) of this section; [and]

18 **(ii) INTO THE MARYLAND VETERANS TRUST FUND UNDER §**
19 **9–913 OF THIS TITLE 20% OF THE MONEY THAT REMAINS IN THE STATE**
20 **LOTTERY FUND FROM THE PROCEEDS OF A VETERANS LOTTERY CONDUCTED IN**
21 **THE PREVIOUS MONTH UNDER § 9–120.2 OF THIS SUBTITLE, AFTER THE**
22 **DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION; AND**

23 **[(ii) (iii)]** into the General Fund of the State the money that
24 remains in the State Lottery Fund from the proceeds of all other lotteries after the
25 distribution under subsection (a) of this section.

26 (2) The money paid into the General Fund under this subsection is
27 available in the fiscal year in which the money accumulates in the State Lottery Fund.

28 (c) The regulations of the Agency shall apportion the money in the State
29 Lottery Fund.

30 **9–120.2.**

31 **(A) ~~TWICE~~ ON NOVEMBER 11 OF EACH YEAR, THE AGENCY SHALL**
32 **CONDUCT A VETERANS LOTTERY FOR THE BENEFIT OF THE MARYLAND**
33 **VETERANS TRUST FUND.**

1 **(B) IN ALL ADVERTISING AND ON ALL TICKETS, THE AGENCY SHALL**
2 **IDENTIFY ANY LOTTERY CONDUCTED UNDER THIS SECTION AS BEING**
3 **CONDUCTED FOR THE BENEFIT OF THE MARYLAND VETERANS TRUST FUND.**

4 9–913.

5 (a) In this section, “Fund” means the Maryland Veterans Trust Fund.

6 (b) There is a Maryland Veterans Trust Fund in the Department.

7 (c) (1) The Fund is a special, nonlapsing fund that is not subject to
8 reversion under § 7–302 of the State Finance and Procurement Article.

9 (2) The State Treasurer shall hold the Fund separately, and the
10 Comptroller shall account for the Fund.

11 (d) (1) The Secretary shall administer the Fund.

12 (2) The Maryland Veterans Commission, the Maryland Veterans’
13 Home Commission, and program directors shall advise the Secretary on the
14 administration of the Fund.

15 (e) The Fund consists of:

16 **(1) gifts and grants that the Department receives under §**
17 **9–912(b) of this subtitle; AND**

18 **(2) ~~THE PROFITS DERIVED FROM THE PROCEEDS DISTRIBUTED~~**
19 **TO THE FUND FROM ANY VETERANS LOTTERIES LOTTERY CONDUCTED UNDER §**
20 **9–120.2 OF THIS TITLE.**

21 (f) Money in the Fund may only be used to:

22 (1) make grants and loans under § 9–912(b)(2)(i) of this subtitle;

23 (2) be invested under § 9–912(b)(2)(ii) of this subtitle; and

24 (3) pay the costs of administering the Fund through distribution to an
25 administrative cost account in the Department.

26 (g) (1) The State Treasurer shall invest the money in the Fund in the
27 same manner as other State money may be invested.

28 (2) Any investment earnings of the Fund shall be credited to the Fund.

1 (h) Money expended from the Fund is supplemental to and is not intended to
2 take the place of funding that would otherwise be appropriated to the Department.

3 (i) (1) On or before August 31 of each year, the Secretary shall submit a
4 report to the General Assembly, in accordance with § 2-1246 of this article, on the
5 status of the Fund.

6 (2) The report shall include:

7 (i) the gross amount of gifts and grants credited to the Fund;

8 (ii) the costs of administration of the Fund; and

9 (iii) a detailed accounting of the use of the Fund.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 ~~October~~ July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.